

UNITED STATES DISTRICT COURT

for the
Southern District of Ohio

United States of America

v.

Fabian POSADAS-Mejia

Case No.

2:19-mj-518

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 06/14/2019 in the county of Franklin in the
Southern District of Ohio, the defendant(s) violated:

Code Section
8 U.S.C. 1326(a)

Offense Description
Illegal re-entry by a removed alien

This criminal complaint is based on these facts:

See attached affidavit.

☐ Continued on the attached sheet.



Complainant's signature

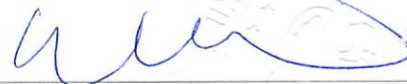
Matthew J. Salmon, Deportation Officer

Printed name and title

Sworn to before me and signed in my presence.

Date:

7-1-19



Judge's signature

City and state:

Columbus, OH

Chelsey M. Vascura, U.S. Magistrate Judge

Printed name and title

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO**

**IN THE MATTER OF THE CRIMINAL
COMPLAINT OF:**

Fabian POSADAS-Mejia

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Case No.

**AFFIDAVIT OF MATTHEW J. SALMON IN
SUPPORT OF CRIMINAL COMPLAINT**

I, United States Immigration and Customs Enforcement (ICE) Deportation Officer Matthew J. Salmon, being first duly sworn, depose and state as follows:

1. I am a Deportation Officer with more than sixteen (16) years of experience as an Immigration Agent with the United States Immigration and Customs Enforcement (ICE), District Adjudications Officer with U.S. Citizenship and Immigration Services, and Border Patrol Agent with the U.S. Border Patrol. I am assigned to the Columbus, Ohio Office of Enforcement and Removals-Field Operations. I have investigated both criminal and administrative matters involving aliens in the United States. I have a Bachelor's Degree in Criminal Justice from Marshall University (Huntington, WV). I have successfully completed the U.S. Border Patrol Agent Academy at the Federal Law Enforcement Training Center (FLETC) at Charleston, SC.
2. During the course of investigating Fabian POSADAS-Mejia, I have learned the following facts:
3. Fabian POSADAS-Mejia is a citizen of El Salvador with no legal status in the United States.
4. On or about June 7, 1995, POSADAS-Mejia was arrested by United States Border Patrol Agents at or near Nogales, AZ. POSADAS-Mejia was charged administratively as an inadmissible alien under Section 212(a)(6)(A)(i) of the Immigration and Nationality Act. POSADAS-Mejia was issued Alien Registration number A073 371 434. On or about August 4, 1995, POSADAS-Mejia was ordered removed from the United States by an Immigration Judge in Cleveland, OH. POSADAS-Mejia remained an ICE fugitive for more than 18 years.
5. On or about January 30, 2014, POSADAS-Mejia was arrested by ICE Officers in Columbus, OH as an ICE fugitive. On or about February 19, 2014, POSADAS-Mejia was physically removed from the United States to El Salvador through New Orleans, LA. Prior to his removal, POSADAS-Mejia surrendered his fingerprint and photograph for Immigration Form

I-205 (Warrant of Removal/Deportation), a document that he signed. POSADAS-Mejia's departure was witnessed by an Immigration Officer.

6. On or about March 26, 2014, POSADAS-Mejia was arrested by United States Border Patrol Agents at or near Falfurrias, TX. POSADAS-Mejia was processed for reinstatement of the prior removal order. On or about April 10, 2014, POSADAS-Mejia was physically removed from the United States to El Salvador through Laredo, TX. Prior to his removal, POSADAS-Mejia surrendered his fingerprint and photograph for Immigration Form I-205 (Warrant of Removal/Deportation), a document that he signed. POSADAS-Mejia's departure was witnessed by an Immigration Officer.
7. On or about September 7, 2017, POSADAS-Mejia was arrested by ICE Officers in Columbus, OH. POSADAS-Mejia was processed for reinstatement of the prior removal order. On or about September 29, 2017, POSADAS-Mejia was physically removed from the United States to El Salvador through Alexandria, LA. Prior to his removal, POSADAS-Mejia surrendered his fingerprint and photograph for Immigration Form I-205 (Warrant of Removal/Deportation), a document that he signed. POSADAS-Mejia's departure was witnessed by an Immigration Officer.
8. On or about June 14, 2019, POSADAS-Mejia was encountered by ICE Officers in Columbus, Ohio. It was determined after a verification of fingerprints that POSADAS-Mejia had previously been ordered removed from the United States and physically removed from the United States multiple times. POSADAS-Mejia is subject to prosecution for illegal re-entry, being found in the United States after being barred for a period of twenty (20) years.
9. Biometric and records checks confirmed that POSADAS-Mejia did not receive permission from the Attorney General of the United States or the Secretary of the Department of Homeland Security for this re-entry into the United States.

I submit that the foregoing facts establish probable cause that POSADAS-Mejia has committed a violation of 8 U.S.C. § 1326(a), being an alien who: (1) has been denied admission, excluded, deported, or removed, or has departed the United States while an order of exclusion, deportation or removal is outstanding; (2) thereafter entered, attempted to enter, or at any time was found in the United States; and (3) did not have consent from the Attorney General or the Secretary of the Department of Homeland Security to reapply for admission to the United States prior to either his re-embarkation at a place outside the United States or his application for admission from a foreign contiguous territory.



Matthew J. Salmon
Deportation Officer-ICE/ERO

Sworn before me and subscribed in my presence on this 1st day of July, 2019.



Honorable Chelsey M. Vascara
United States Magistrate Judge